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Evaluation of Child Visitation Centers in Turkey

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Abstract: Divorce rates in Turkey have increased over the years and the number of children subject to custody after divorce rise rapidly. Courts decide whether a child whose custody is given to one of his parents should establish a personal relationship with the other parent. Children with divorced parents need to meet with their parents. Additionally, the right of the parent who lost custody to establish personal contact and meeting with his child is a right provided by the court. The process of meeting parents who have lost custody with their children cannot be done in a healthy way due to the problems experienced between divorced parents. Based on this problem, this study addressing the purpose of establishment and functioning of Child Visitation Centers established in Turkey in 2022, is to present a conceptual framework and make suggestions for implementation.

Keywords: Conflict divorce, Child after divorce, Custody child visitation center

Introduction

The family institution is the fundamental structure that constitutes society and is essential for the continuity of society. The boundaries of the family, which takes shape within the framework of certain principles from a societal perspective, are also defined by legal rules derived from the societal structure. Within the Turkish societal structure, marriage law is determined by the Turkish Civil Code, numbered 4721. According to this law, individuals who have reached the age of 18, possess the capacity to distinguish, and do not have any impediments specified in the law, such as consanguinity, legal incapacity, or mental illness, are eligible to enter into marriage.

After industrialization, the family has shrunk and transformed into the nuclear family structure consisting of parents and children in modern society. Post-modernity has witnessed transitions to family structures with different characteristics than the nuclear family. When examining family structures today, there is an increase in single-parent families, rising divorce rates, and the emergence of new types of families. In a society where individualism is on the rise, the desire for the freedom of living alone, the desire to have children without being a father, and the increase in divorce rates contribute to the increase in the number of single-parent families (Giddens, 2000). Nevertheless, the family continues to fulfill certain functions. These include the reproduction of the population, childcare, socialization of new individuals, regulation of sexual behavior, and the existence of a source of affection (Zastrow, 2015).

Theorists also view the family as a meso system composed of interrelated and sub-systems. According to the system theory, in a family with two children, four subsystems are formed. These are the individual, the marital couple, the parent-child, and the sibling subsystem (Bernier et al., 2021; Cox & Paley, 2003). In a family with four subsystems, when spouses want to get divorced, they only need to terminate the marital couple subsystem in a healthy manner. However, in almost all societies, individuals perceive divorce as a form of annihilation and believe that the other subsystems will also close. They think they will not be able to exist as individuals, cannot

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maintain the parent-child relationship, and that the sibling subsystem will also close. In reality, a healthy divorce only terminates the marital relationship. Of course, after divorce, individuals' lives are affected in social, economic, psychological, legal, social, and individual aspects, and they need to reorganize their lives (Leopold, 2018). In summary, couples who want to divorce first need support in ending the marital couple subsystem in a healthy way and then in adapting to a new life.

The divorce process is defined as the legal process through which couples terminate their marital union. The divorce process can be carried out through mutual agreement and compromise, or it can be a contentious process involving disputes and conflicts. It is a process that requires the resolution of issues such as the custody of children born during the marriage and the division of assets. Therefore, whether the divorce process proceeds as an uncontested or contested divorce is significant in terms of the issues that need to be resolved during the divorce process. The increasing rate of divorce in recent years has made this issue more visible. According to the provisions of the Turkish Civil Code currently in effect, the grounds for divorce are defined as follows: (1) adultery, (2) attempted murder, severe cruelty, or dishonorable conduct, (3) committing a crime and leading a disgraceful life, (4) abandonment, (5) mental illness, and (6) breakdown of the marital union (Turkish Civil Code, 2001: Articles 161-166).

According to the data from the Ministry of Justice, General Directorate of Judicial Records and Statistics, in 2021, the number of divorce cases filed was 279,557, while in 2022, this number increased to 289,088 (General Directorate of Judicial Records and Statistics, 2022; 2023). According to the data from the Turkish Statistical Institute (TSI), in 2021, there were 175,779 couples divorcing, and in 2022, this number rose to 180,954 couples. The crude divorce rate in 2021 was 2.09, and in 2023, this rate increased to 2.13 (TSI, 2023). The table below provides divorce statistics for the past 10 years. According to the statistics, it can be observed that 1,436,088 couples have divorced in the last 10 years.

Table 1. The divorce figures in the last 10 years (TSI, 2023)

Variables (Year)	Mean Number of divorces
2013	125.305
2014	130.913
2015	131.830
2016	126.164
2017	128.411
2018	143.573
2019	156.587
2020	136.570
2021	175.779
2022	180.954
Total	1.436.086

According to data from the Ministry of Justice, General Directorate of Judicial Records and Statistics, in Turkey, in 2021, almost all divorces that took place in civil courts (96.8%) were reported to have occurred due to the fundamental breakdown of the marriage (General Directorate of Judicial Records and Statistics, 2022). When examining TSI data on divorces, it can be seen that a significant portion of divorces occur within the first three years of marriage. According to this data, in 2021, 22.3% of divorces, and in 2022, 21.6% of divorces took place within the first three years of marriage. When divorce reasons are examined, incompatibility is found to be the most common reason for divorce. In 2021, 97% of divorces occurred due to incompatibility, while in 2022, this rate was 96.7% (TSI, 2023). According to a study conducted by the Directorate General of Family and Community Services of the Ministry of Family, Labor, and Social Services (formerly known as the Ministry of Family and Social Policies) with individuals who have divorced at least once, the three most common reasons for divorce were found to be irresponsible and indifferent behavior (51%), inability to provide for the household economically (30%), and disrespectful behavior towards each other's families (24%) (Ministry of Family, Labor, and Social Services, 2019). According to the data from the TSI, in 2022, 574,358 couples got married in Turkey. In the same year, there were 180,954 divorces, and 180,592 children were subject to custody arrangements (TSI, 2023).

After divorce, children, as determined by the courts, live with one of their divorced parents, while the other parent has the right to establish a personal relationship with them. This study addresses the Child Visitation Centers, which began providing services related to child custody and establishing personal relationships with

children in Turkey starting from 2022. The study evaluates the functioning and practices of these centers in this context.

Divorce and Children

Divorce is not merely a situation affecting individuals who have been married. It is an action that impacts not only the divorcing individuals but also their respective families of origin, close circles, and the children born from the marital union. The fact that 180,592 children were subject to custody arrangements in 2022 highlights the significance of the divorce process for children (TSI, 2023). The table below provides the numbers of children subject to custody arrangements in the last 10 years. According to the statistics, it can be observed that 1,274,546 children have been involved in custody cases in the last 10 years.

Table 2. The number of children subject to custody arrangements in the last 10 years (Source: TSI, 2023)

Variables (Year)	Mean Number of divorces
2013	102,120
2014	107,337
2015	109,978
2016	106,460
2017	108,297
2018	125,768
2019	140,858
2020	125,948
2021	167,188
2022	180,592
Total	1.274.546

According to the Turkish Civil Code, individuals who have not reached the age of 18 and are therefore not legally adults are under the custody of their parents (Article 335). Under this law, the following principles have been established regarding custody and establishing personal relationships after divorce:

- i. In divorce proceedings, the court issues a custody order concerning the common children born from the marital union, regulating the personal relationship between the parents and the child (Article 182/1).
- ii. The court warns that if the requirements arising from the personal relationship arrangement specified in the court decision cannot be fulfilled, the custody may be changed in the best interests of the child (Article 182/2).
- iii. After divorce, each parent who does not have custody or has not been granted custody has the right to request the establishment of a personal relationship with the child (Article 323).
- iv. Parents are obligated to refrain from harming the personal relationship between the child and the other parent and from obstructing the child's education and upbringing (Article 324/1).
- v. If the parent to whom custody has been granted by court decision fails to fulfill the requirements of the personal relationship arrangement, custody may be changed in the best interests of the child (Article 324/3).

During the divorce process, the court judge takes into consideration the child's views and opinions regarding custody. At the same time, the court judge may request a social investigation report from experts (social worker, psychologist, pedagogue) regarding the custody of the child and the establishment of a personal relationship. Based on the information gathered, the court judge makes decisions on custody and personal relationship arrangements within the framework of the child's best interests. When examining the data from TSI (2023), it is observed that in the last 10 years, custody was granted to the mother in 75.25% of cases and to the father in 24.8% of cases. The fact that three out of every four children whose parents are divorced are placed under the custody of the mother can be attributed to the mother being the primary caregiver of the child. Additionally, the child's primary attachment figure being the mother and the scientific literature defining the mother as a secure haven (Bowlby, 1988/2020; Bowlby, 1979/2014) may influence the recommendations made by experts preparing custody reports in this direction.

Childhood neglect, abuse, as well as parental loss, separation from parents, and their divorce are traumatic events for children (Herman, 2016). Children of divorced parents experience individual and societal problems. At the individual level, these problems manifest as emotional and psychological issues, including anger

problems, defiance/non-compliance with rules, insecurity, anxiety, depression, low self-esteem, and socialization difficulties (Amato, 2000). The mental health of children whose parents have divorced is negatively affected due to witnessing conflicts during the divorce process, experiencing economic difficulties, and perceiving their parents as inadequate (Aral & Gürsoy, 2000). Children of divorced parents also feel stigmatized in society. When they realize that they don't have the "ideal family" they may have imagined, where "mom and dad are together," they might perceive it as a deficiency. Consequently, children who feel stigmatized because of this belief tend to withdraw from social relationships and friendships.

For children who consistently want to have both parents, divorce has a distressing impact. Children whose parents have separated or divorced may act as if their parents have never separated and may try to prevent the divorce. However, the separation or divorce of parents creates a trauma of loss for the child (Ruppert, 2014). Research has shown that children of divorced parents experience increased levels of depressive feelings, exhibit behavior problems, and have lower academic achievement (Öngider, 2013). Due to the impact of divorce on the child, it is crucial for the divorce process to be carried out in a healthy manner, and the child's personal relationship with the non-custodial parent should not be hindered. The quality of the child's relationship with their parents is a significant factor for children of divorced parents to adapt to the divorce (Ravitz, 2011). Overcoming the uncertainty, insecurity, and anxiety that divorce may create requires consistent behavior from parents (Tezcan, 2017).

Child Transfer and Establishing a Personal Relationship with the Child: Child Visitation Centers

In Turkey, the implementation of court decisions related to child transfer and establishing a personal relationship with the child was conducted within the framework of the Enforcement and Bankruptcy Law until 2022. The Enforcement and Bankruptcy Law, which primarily deals with debt and creditor relations, has been a subject of debate in the field of child protection for many years. The practice of executing custody and personal relationship arrangements for children through Enforcement Offices has led to the attachment of children's assets. In this context, the custodial parent, the parent with the right to establish a personal relationship, and the child were categorized as creditors and debtors. The procedures related to child custody and transfer, carried out within the framework of this legislation, have led to violations of children's rights, as they have been treated within the context of creditor and debtor relations. Moreover, the practice of law enforcement officers and law enforcement authorities accompanying the custodial parent to the non-custodial parent's home for the child transfer has violated the privacy of the family in public. This practice has deviated significantly from being child-centered. These practices, often carried out without adequately preparing the child psychologically and under sometimes inappropriate conditions, have occasionally undermined the child's right to see the other parent. The increase in divorce rates and, as a result, the growing number of children subject to custody arrangements has brought this issue to the forefront.

In 2021, in order to resolve the issues related to child transfer and establishing a personal relationship with the child while considering the best interests of the child, the Child Protection Law added Article 41 (Law on Amendment of the Enforcement and Bankruptcy Law and Some Laws, 2021). Based on this law, in 2022, the Regulation on the Implementation of Decisions and Precautionary Decisions Regarding Child Transfer and Establishing a Personal Relationship with the Child was published, providing details on the implementation. To understand the functioning of Child Visitation Centers (CVC), it is necessary to explain the legal regulations and institutional structures related to the subject. Following the stipulation that the decisions and precautionary measures regarding child transfer and establishing a personal relationship with the child, which are issued by the courts, will be executed by the Directorate of Legal Aid and Victim Services (Child Protection Law, 2005: Additional Article 41/A-1), Child Visitation Centers began to be established as centers affiliated with the Directorate of Legal Aid and Victim Services starting from 2022. Child Visitation Centers are responsible for executing court decisions related to child transfer and establishing a personal relationship with the child.

The Directorates of Legal Aid and Victim Services are established within the courthouses and are affiliated with the Ministry of Justice. They house experts such as psychologists, pedagogues, and social workers. These directorates are responsible for conducting practices that prioritize the best interests of the child. They aim to prevent the children from being traumatized by expediting procedures related to children, reducing the anxiety of victimized children during the process of taking their statements and testimonies, providing support for children to express themselves comfortably, informing children about legal procedures in line with their developmental levels, ensuring that children can express themselves before decisions are made about them while safeguarding their rights, and taking necessary measures to prevent actions that may traumatize the children (Regulation on Legal Aid and Victim Services, 2021: Article 6). The Directorates of Legal Aid and Victim

Services also provide services related to family court referrals, family, divorce, or parental counseling for parties, suggesting appropriate measures for the children and parents, and proposing suitable measures for the obligations arising from the marital union and their relationship with common children. These services align with the main mission of the Directorates of Legal Aid and Victim Services. In this context, the establishment and implementation of Child Visitation Centers affiliated with these directorates aim to harmonize with the core mission and services of the directorates. In order to understand the new legal regulations regarding child transfer and establishing personal relations with the child, it is necessary to touch upon some concepts mentioned in the law and regulation. These concepts specified in the Regulation on the Implementation of Judgments and Interim Measures for Child Transfer and Establishment of Personal Relations with the Child are child transfer, right holder, personal relationship, and obligated person.

- *Child transfer*: The process of taking the child from the obligated person and delivering them to the right holder as required by the court decision regarding custody (Article 4/1-d).
- *Right holder*: The right holder is defined in two different ways. Firstly, it is the party holding custody in the child transfer process. Secondly, it is the party to whom custody is not granted, but with whom a personal relationship with the child is established (Article 4/1-f). As the definition implies, the custody holder is the right holder in child transfer. The person granted the right to establish a personal relationship with the child during the process is also defined as the right holder.
- *Personal relationship*: It is the right granted to the party for a certain period of visitation or staying with the child in accordance with the court decision, to whom custody has not been granted (Article 4/1-g).
- *Obligated person*: The party to whom custody is granted by the court, who is responsible for ensuring that the child establishes a personal relationship with the other parent within the specified period and in the specified manner. However, the obligation also refers to the party who must hand over the child to the custody holder at the end of the personal relationship they establish with the child (Article 4/1-n).

The concepts explained above can be illustrated with the following example:

Example 1: Let's assume that there is a court decision granting custody (right holder) to the mother (obligor) of a child. The court order allows the father (right holder) to have personal visitation with the child on weekends, from Friday evening at 5:00 PM until Sunday evening at 5:00 PM, which includes two nights and two days of visitation. In this scenario, after the father has spent time with the child during the specified personal visitation period, he is required to return the child to the mother (child transfer). This transfer is the obligation of the father (obligor), and it takes place at the end of the personal visitation period, as stipulated by the court order. The newly added provisions in the Child Protection Law cover several fundamental aspects regarding the institutional structure and operation. Under the heading "Responsible and Authorized Units," the following key points are addressed:

- The responsibility for implementing court decisions regarding child transfer and establishing personal relationships with the child lies with the Directorates of Judicial Support and Services for Victims.
- In judicial districts where the Directorates of Judicial Support and Services for Victims are not present, this duty will be carried out by the legal affairs bureaus of the civil courts.
- The competent authority for implementing these court decisions is the bureau located at the child's place of residence.
- During the execution of these decisions, specialists such as psychologists, pedagogues, social workers, child development experts, or guidance counselors should be involved. However, in cases where such specialists are not available, teachers may be assigned to the task.¹
- The list of specialists to be engaged in these procedures will be determined through a list prepared by the governorships (Child Protection Law, 2005: Additional Article 41/A).

The Directorate of Legal Aid and Victim Services carry out two primary tasks through Child Visitation Centers: (1) the execution of judgments and decisions regarding child custody and (2) the execution of judgments or precautionary decisions regarding personal relations with the child. The relevant law specifies the procedures and processes for these practices as follows. In the execution of judgments or precautionary decisions regarding child custody:

¹ During the implementation of court decisions regarding child transfer and personal relationship establishment for children, the experts accompanying the child at the Child Visitation Centers established within the Directorate of Legal Aid and Victim Services will be compensated for each handover process they are actively involved in, as stipulated in the legislation (Child Protection Law, 2005: Article 41/H).

- If the judgment regarding child custody is not voluntarily fulfilled by the responsible party (the one without custody), the entitled party (the one with custody) can apply to The Directorate of Legal Aid and Victim Services for the enforcement of the judgment.
- The Directorate of Legal Aid and Victim Services contacts the responsible party using any means of communication, notifies them to bring the child to be delivered to the entitled party at the specified date and time, and documents the process.
- If the obligated person cannot be reached or declares that they will not bring the child, the Directorate of Legal Aid and Victim Services issues an order for the immediate delivery of the child. In this order, the responsible party is informed that they must bring the child to the specified location on the specified date and time. If they have a valid excuse preventing them from delivering the child on the designated date, they should contact the Directorate of Legal Aid and Victim Services before the delivery date to request that the child be taken into custody by the directorate. If they fail to deliver the child or provide a valid excuse for not complying with the order, it is stated that the child will be taken into custody with the assistance of experts and, if necessary, with the support of law enforcement. Non-compliance with the order can result in disciplinary imprisonment.
- The child, who is brought or taken into custody by the Directorate of Legal Aid and Victim Services at the specified date and time, or could not be delivered by the responsible party due to a valid excuse, is handed over to the rights holder by the Directorate.
- In the event that the order for handover is not complied with by the obligated party, the Directorate of Legal Aid and Victim Services will promptly retrieve the child from their current location, with the support of law enforcement if necessary, and deliver them to the right holder (Child Protection Law, 2005: Article 41/B).

Regarding the execution of the decisions or precautionary measures for establishing personal relationships with the child:

- If the obligated party (custodial parent) refuses to willingly establish the personal relationship between the child and the right holder (the one with the right to establish a personal relationship), the right holder can apply to the Directorate of Legal Aid and Victim Services to ensure the execution of the court decision for the personal relationship.
- The Directorate of Legal Aid and Victim Services will use all means of communication to contact the obligated party and inform them about the specified date and time for delivering the child to the right holder for the establishment of a personal relationship. The process will be documented.
- If contact cannot be established with the obligated party or if the obligated party declares that they will not bring the child, the Directorate of Legal Aid and Victim Services issues an order for the establishment of a personal relationship. In this order, the obligated party is informed that they must bring the child to the specified location at the date and time determined in the court decision or by the Directorate. If they have a legitimate reason preventing them from doing so, they must contact the Directorate before the delivery date to request that the child be taken into custody by the Directorate. It is further emphasized that failure to comply with the order may result in disciplinary detention.
- The child, brought to the date and time specified by the Directorate of Legal Aid and Victim Services, is delivered to the right holder (the person with the right to establish a personal relationship). The right holder is informed that they must bring the child to the designated location at the end of the period specified in the court decision. Failure to do so, except for valid reasons, may result in disciplinary detention and a criminal complaint being filed against them. These details are recorded in a report.
- If, after establishing a personal relationship, the child cannot be handed over to the responsible party (the custodian) or the person designated by the responsible party by the right holder (the person with the right to establish a personal relationship), the child is left with the right holder. In cases where this is not possible, at the request of the Directorate of Legal Aid and Victim Services, the child is handed over to the Provincial Directorate of Family and Social Services, and temporary measures are taken for the child's shelter.
- If the responsible party (custodian) requests the child to be taken by the Directorate of Legal Aid and Victim Services due to a valid excuse, the child is taken into custody by the directorate and, if necessary, handed over to the right holder.
- The right holder (the person with the right to establish personal relations) must notify the Directorate of Legal Aid and Victim Services in writing or through an electronic communication channel at least 48 hours before the scheduled delivery time if they intend to come and pick up the child.

- A decision may be made to implement counseling measures for the child, the right holder, and the obligated party upon the recommendation of the Directorate of Legal Aid and Victim Services to ensure the best interests of the child are met during the process of establishing personal relations.
- If decisions have been made for the right holder or the party responsible for delivery under Law No. 6284 on the Protection of Family and Prevention of Violence Against Women, including measures such as confidentiality or restraining orders, the Directorate of Legal Aid and Victim Services performs the delivery procedures in consideration of these decisions.²
- If the right holder (the one with the right to establish personal contact) fails to show up to pick up the child, despite notifying the Directorate of Legal Aid and Victim Services at least 48 hours in advance after the delivery order has been served to the party responsible for delivery, without justifiable reasons, twice in a row or three times in one year, the file is closed by the directorate, rendering the delivery order void. This decision is then communicated to the right holder and the party responsible for delivery (Child Protection Law, 2005: Article 41/C).

In the case where the right holder or the party responsible for delivery is serving a prison sentence or in pre-trial detention, specific arrangements are made in the legislation to ensure that the child can maintain their relationship with both parents and that the parent can fulfill their right to maintain a relationship with the child. According to the Regulation on the Enforcement of Judgments and Precautionary Measures Regarding the Delivery of the Child and Establishment of Personal Relations with the Child, "If the right holder or the party responsible for delivery is in a penal institution, the procedures are carried out through the penal institution" (Article 25/6; 32/6). This provision is considered to serve the best interests of the child by facilitating their relationship with both parents.

As stipulated by the provision added to the Child Protection Law, court orders related to the delivery of the child and the establishment of personal relations with the child will be executed at designated delivery locations determined by the Directorate of Legal Aid and Victim Services (Child Protection Law, 2005: Article 41/D). In the selection of these delivery locations, the best interests of the child are a primary consideration. Locations that are conducive to the physical and psychological development of the child are chosen. Security measures are implemented around the delivery locations to prevent potential incidents in the vicinity, with law enforcement officers taking necessary actions when required. These delivery locations are established in areas that are easily accessible to the right holders and responsible parties for the delivery while also being suitable in terms of security. Furthermore, the buildings are furnished in a manner that is appropriate for the age and developmental stage of the children, ensuring they are well-lit, spacious, and comfortable. Another crucial aspect for the centers is that the delivery locations should be equipped with the necessary technical infrastructure to record the delivery process via security cameras (Child Visitation and Personal Relationship Implementation Regulation, 2022: Article 20; 22). The regulation specifies that the selection of suitable locations for the delivery processes, as well as meeting other needs, will be carried out by the governorships and municipalities upon the request of the Directorate of Legal Aid and Victim Services. It is emphasized that public institutions and local authorities are responsible for determining the delivery locations and providing furnishings for them (Child Protection Law, 2005: Article 41/D). This regulation underscores the importance of coordinated efforts among all institutions and organizations involved in child protection.

Regarding the failure to execute judgments and precautionary measures related to the delivery of children and establishing personal relations with children, certain penalties have been specified. Those who act contrary to the delivery order for the child's delivery and those who obstruct the execution of the order may be subject to disciplinary imprisonment for up to three months upon a complaint made within one month. In cases of non-compliance with the delivery order for establishing personal relations with the child, both by those who act contrary to the order and those who obstruct its execution, upon a complaint made within one month, they may be subject to disciplinary imprisonment for a period ranging from three days to ten days. Additionally, if the rightful owner does not bring the child delivered to them for establishing personal relations to the designated location within the period specified in the court order, they may be subject to disciplinary imprisonment for up to three months upon a complaint made within one month (Child Protection Law, 2005: Article 41/F).

During the process of establishing personal relations with the child, the child may refuse to meet with the parent who is the rightful owner. According to the Regulation on the Execution of Judgments and Precautionary Measures for the Delivery of Children and the Establishment of Personal Relations with Children, in such a situation, experts are required to conduct separate interviews with the child and the parties involved. If the child

² According to the Regulation on the Execution of Judgments and Precautionary Measures Regarding the Delivery of Children and Establishing Personal Relations with Children, except in cases of necessity, all proceedings and transactions related to the delivery of children and the establishment of personal relations with them are conducted without bringing the parties face to face (Article 5/6).

still refuses to meet, they should record the situation along with the reasons. The expert takes into account the factors that lead to the child's reluctance and prepares a plan after meeting with the child, the rightful owner, and the obligated party within this framework, attempting to resolve identified issues. However, if the problem cannot be resolved, upon the recommendation of the Directorate of Legal Aid and Victim Services experts, a request for the implementation of counseling measures can be made to the court (Article 39; 40).

Discussion and Conclusion

In this study that evaluates the Child Visitation Centers established in Turkey since 2022, first, the number of children involved in divorce and custody cases is discussed to determine the size of the target audience the center will serve. Then, prior to the establishment of these centers, the practice of child execution in the implementation of child transfer and personal relationship establishment decisions is explained. Finally, the legal basis and institutional infrastructure of the centers are addressed, and its relationship with the Directorate of Legal Aid and Victim Services is explained. The factors that are considered to have led to the opening of Child Visitation Centers in Turkey can be listed as follows:

- In Turkey, according to the Execution and Bankruptcy Law, children were subjected to a long-standing and outdated practice of child execution. This practice negatively affected the psychosocial well-being of children and caused harm to both the child and the parents. This practice, which violated children's rights, treated children more as property to be seized and executed rather than as individuals with their own rights and needs.
- When examining divorce statistics and the number of children involved in custody disputes in Turkey, it becomes apparent that issues in the process of child custody and personal relationship establishment have become significant. In the past decade, with approximately one and a half million children becoming subjects of custody arrangements, the need for a center to provide services in child transfer and personal relationship establishment has become evident.
- The absence of any public institution acting as an intermediary and taking a role in addressing issues related to child transfer and establishing a personal relationship has made it challenging to identify and resolve problems in this area.
- Since the processes of child transfer and personal relationship establishment are not properly documented, this has resulted in disputes and allegations between the parties (the custodian and the obligor).
- Non-compliance with court decisions regarding child transfer and personal relationship establishment has led to violations of rights and hardships for both children and parents.
- Non-compliance with the planned process for child transfer and personal relationship establishment, such as the custodian not picking up the child on the specified date and time or not attending the visitation, or the custodian failing to deliver the child at the scheduled time, has led to conflicts between the parties.
- Protective and preventive orders, such as restraining orders or privacy measures, taken between couples under the Law on the Protection of Family and Prevention of Violence Against Women, have complicated the enforcement of court decisions related to child transfer and personal relationship establishment.
- The absence of a direct responsible organization for the enforcement of court decisions on personal relationship establishment has hindered both the right of incarcerated or detained parents, who are custodians, to maintain a personal relationship with their children and the children's right to maintain a relationship with their parents.

The factors that led to the establishment of Child Visitation Centers have facilitated legal regulations and the planning of institutional structures. It is considered that Child Visitation Centers will provide the following:

- Recording the processes related to child transfer and personal relationship establishment decisions through the involvement of public institutions and experts in a secure manner.
- Preventing violations of rights through sanctions ranging from disciplinary detention to a change in custody for non-compliance with child transfer and personal relationship establishment decisions.
- Carrying out professional interventions with the help of experts to identify and address the problems that may arise among the parties involved in child custody and establishing a personal relationship.
- Ensuring compliance with court decisions by parents experiencing a contentious divorce process or ongoing problems without face-to-face encounters, facilitated through public institutions and experts.

- Keeping children away from the conflicts that arise or are likely to arise between divorced parents, thus enabling expert intervention in the process.
- Ensuring the right of incarcerated or detained parents and their children to establish a personal relationship with each other.

Recommendations

There is no research in the literature regarding the problems encountered in the implementation of Child Visitation Centers. It is believed that as the institutional processes become more established, these issues will become more apparent. However, a few points can be addressed on this topic. Firstly, Child Visitation Centers can be utilized to intervene in cases where court orders related to child custody and visitation are not being followed, with the aim of addressing conflicts and problems that often arise during divorce proceedings. Given that divorce is a process marked by numerous conflicts and problems, couples are compelled to re-establish communication due to their shared responsibilities towards their children's future. Therefore, Child Visitation Centers should ideally be available to all divorced couples who request their services. Another issue is the additional workload on the experts within the Directorate of Legal Aid and Victim Services resulting from the establishment of Child Visitation Centers. The Centers will require the employment of experts, primarily social workers or social service specialists, who can operate on multiple intervention levels with children, parents, and their social circles. These professionals, including social workers, psychologists, and child development specialists, will work within the centers to facilitate the resolution of issues that may arise between children and parents. Recommendations regarding Child Visitation Centers can be outlined as follows:

- A sufficient number of social workers, psychologists, and child development specialists must be employed within Child Visitation Centers to alleviate the workload of experts at the Directorate of Legal Aid and Victim Services. This staffing increase will enhance the effectiveness of experts in Child Visitation Centers and improve the overall quality of service delivery.
- In situations where individuals involved in contested divorces or experiencing difficulties with their ex-spouse require it, they should have the right to carry out child custody and visitation arrangements through Child Visitation Centers.
- Experts or professionals who provide opinions on custody and visitation matters during divorce proceedings should also make recommendations to the court regarding whether Child Visitation Centers should be involved in implementing these decisions.
- Lastly, to promote healthy divorces and minimize the need for Child Visitation Centers, divorcing couples should be required to seek marriage counseling before finalizing their divorce.

Child Visitation Centers are essentially institutions designed to address an existing crisis. This situation can be turned into an opportunity by encouraging professionals to conduct professional work with divorcing couples, particularly those in conflict, aiming to facilitate compromise among them.

Scientific Ethics Declaration

The authors declare that the scientific ethical and legal responsibility of this article published in EPESS journal belongs to the authors.

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